

ASSEMBLY BILL

No. 2133

Introduced by Assembly Member Blumenfield

February 23, 2012

An act to amend Sections 66025.8 and 68075.5 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2133, as introduced, Blumenfield. Veterans: priority registration and resident classification.

(1) Existing law, the Donahoe Higher Education Act, sets forth the missions and functions of the public institutions of higher education in the state, which include the California Community Colleges, the California State University, and the University of California. Existing law requires the California State University and each community college district, and requests the University of California, to grant priority registration for enrollment to a member or former member of the Armed Forces of the United States, who is a resident of California, and who has received an honorable discharge, a general discharge, or an other than honorable discharge, and to any member or former member of the State Military Reserve who has not received a specified discharge, for any academic term attended at one of these institutions within 4 years of leaving state or federal active duty.

This bill also would require the California State University and each community college district, and request the University of California, to grant priority registration for enrollment to those persons who served active duty in Iraq since that conflict began in 2003, or in Afghanistan since that conflict began in 2001, for any academic term attended at one of these institutions, not just those academic terms within 4 years

of leaving state or federal active duty. The bill also would require the priority registration for enrollment to apply to enrollment for all degree programs offered by the institution.

(2) Existing law defines a resident for purposes of tuition as a student who has a residence in the state for more than one year immediately preceding the residence determination date. Existing law entitles a student who was a member of the Armed Forces of the United States stationed in this state on active duty for more than one year immediately before being discharged to resident classification for a specified time period.

This bill would require those students to become residents after having a residence in the state for more than 6 months, instead of one year.

(3) By requiring community college districts to provide priority registration for enrollment and a resident classification, as specified, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66025.8 of the Education Code is
2 amended to read:

3 66025.8. (a) The California State University and each
4 community college district shall, and the University of California
5 is requested to, with respect to each campus in their respective
6 jurisdictions that administers a priority enrollment system, grant
7 priority in that system for registration for enrollment ~~to any~~ as
8 follows:

9 (1) To a member or former member of the Armed Forces of the
10 United States, and who is a resident of California, who has received
11 an honorable discharge, a general discharge, or an other than
12 honorable discharge, and to any member or former member of the
13 State Military Reserve, for any academic term attended at one of

1 these institutions within four years of leaving state or federal active
2 duty. ~~A~~

3 *(2) To a person described in paragraph (1) who served in active*
4 *duty in Iraq since that conflict began in March 2003, or in*
5 *Afghanistan since that conflict began in 2001, for any academic*
6 *term attended at one of these institutions.*

7 *(b) A former member of the Armed Forces of the United States*
8 *or the State Military Reserve who received a dishonorable*
9 *discharge or a bad conduct discharge is not eligible for priority*
10 *registration for enrollment pursuant to this section.*

11 *(c) The priority registration for enrollment provided pursuant*
12 *to this section shall apply to enrollment for all degree programs*
13 *offered by the institution.*

14 ~~(b)~~

15 *(d) (1) For the purposes of this section, “Armed Forces of the*
16 *United States” means the Air Force, Army, Coast Guard, Marine*
17 *Corps, National Guard, Naval Militia, Navy, and the reserve*
18 *components of each of those forces, including the California*
19 *National Guard.*

20 *(2) As used in this section, “member or former member of the*
21 *Armed Forces of the United States” includes, but is not necessarily*
22 *limited to, any student who is called to active military duty*
23 *compelling that student to take an academic leave of absence.*

24 SEC. 2. Section 68075.5 of the Education Code is amended to
25 read:

26 68075.5. *(a) A student who was a member of the ~~armed forces~~*
27 *Armed Forces of the United States stationed in this state on active*
28 *duty for more than one year immediately ~~prior to~~ before being*
29 *discharged from the armed forces is entitled to resident*
30 *classification for the length of time he or she lives in this state after*
31 *being discharged up to the minimum time necessary to become a*
32 *resident.*

33 *(b) Notwithstanding Section 68017, a person described in*
34 *subdivision (a) shall become a resident upon having a residence,*
35 *pursuant to Article 5 (commencing with Section 68060), in the*
36 *state for more than six months immediately preceding the residence*
37 *determination date.*

38 SEC. 3. If the Commission on State Mandates determines that
39 this act contains costs mandated by the state, reimbursement to
40 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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